

NORTH HERTFORDSHIRE DISTRICT COUNCIL

PLANNING CONTROL COMMITTEE

MEETING HELD IN THE COUNCIL CHAMBER, DISTRICT COUNCIL OFFICES, GERONON ROAD, LETCHWORTH
ON THURSDAY, 24TH FEBRUARY, 2022 AT 7.30 PM

MINUTES

- Present:** *Councillors: Councillor Mike Rice (Chair), Councillor David Levett (Vice-Chair), Amy Allen, Val Bryant, Mike Hughson, Ian Moody, Terry Tyler and Tom Tyson*
- In Attendance:** *Simon Ellis (Development and Conservation Manager), Arhamna Jafri, James Lovegrove (Committee, Member and Scrutiny Officer), Ben Glover (Planning Officer), William Edwards (Committee, Member and Scrutiny Officer) and Thomas Howe (Planning Officer)*
- Also Present:** *At the commencement of the meeting approximately 4 members of the public, including registered speakers.*

49 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors John Bishop, Morgan Derbyshire, Tony Hunter, Ian Mantle and Carol Stanier.

Having given due notice Councillor George Davies substituted for Councillor Morgan Derbyshire, Councillor Michael Muir substituted for Councillor Tony Hunter and Councillor Amy Allen substituted for Councillor Ian Mantle.

50 MINUTES - 18 NOVEMBER 2021

Councillor Mike Rice, as Chair, proposed and Councillor David Levett seconded and, following a vote, it was:

RESOLVED: That the Minutes of the Meeting of the Committee held on 18 November 2021 be approved as a true record of the proceedings and be signed by the Chair.

51 NOTIFICATION OF OTHER BUSINESS

There was no other business notified.

52 CHAIR'S ANNOUNCEMENTS

- (1) The Chair advised that, in accordance with Council Policy, the meeting would be audio recorded.
- (2) The Chair drew attention to the item on the agenda front pages regarding Declarations of Interest and reminded Members that, in line with the Code of Conduct, any Declarations of Interest needed to be declared immediately prior to the item in question.
- (3) The Chair gave advice to the registered speakers on the speaking procedure and time limits.
- (4) The Chair advised that a break would be taken around 9pm, if required.

53 PUBLIC PARTICIPATION

The Chair confirmed that the two registered public speakers were in attendance.

54 21/02316/FPH 2 STEVENAGE ROAD, KNEBWORTH, HERTFORDSHIRE, SG3 6AW

The Planning Officer advised there was one update to the report and this related to an amended scheme received from the agent to ensure no overhang of the footpath to the side of the site.

The Planning Officer presented the report in respect of application 21/02316/FPH supported by a visual presentation consisting of photographs and plans.

The following Members asked questions:

- Councillor Tom Tyson
- Councillor Michael Muir

In response to questions, the Planning Officer advised:

- It was not known the exact width of the footpath to the side of the site.
- It was advised not to build to the boundary of the site, where this would cause terracing or adversely affect the street scheme, but that was not deemed applicable to this application.

The Chair invited the Member Advocate, Councillor Mandi Tandi, to speak against the application.

Councillor Tandi thanked the Chair for the opportunity to address the Committee and gave a verbal presentation including:

- The Parish Council had objected to this application.
- The first floor side extension was to extend to the boundary of the site, which is against North Herts District Council policy.
- The height and extent of the gable wall will have a heavy impact on the use of the footpath and the extension would overhang the boundary.
- A previous application had to be altered following it being too close to the boundary and to minimise the overbearing impact, so there was precedent on this issue.

The following Members took part in the debate:

- Councillor Michael Muir
- Councillor Mike Rice
- Councillor David Levett
- Councillor Tom Tyson

In response to points raised in the debate, the Planning Officer advised:

- The condition covering the glazed window overlooking the neighbouring property could be extended to ensure the window is non-opening, to ensure the privacy of the residents.
- The neighbouring property had the main house and then several ancillary buildings up to the end of the boundary.

Councillor Tom Tyson proposed and Councillor David Levett seconded and, following a vote, it was:

RESOLVED: That application 21/02316/FPH be **GRANTED** planning permission subject to the reasons and conditions outlined in the report of the Development and Conservation Manager and the following additional condition:

- Condition 4 to be added with the following:

“The first floor side window in the proposed north elevation of the side extension shall be permanently glazed with obscure glass and shall be permanently fixed closed.

Reason: To safeguard the privacy of the occupiers of the adjacent dwelling.”

55 21/03411/FPH THE ORCHARD, WILLIAN ROAD, HITCHIN, HERTFORDSHIRE, SG4 0LX

The Planning Officer advised that there were no updates to provide to Members and presented the report in respect of application 21/03411/FPH supported by a visual presentation consisting of photographs and plans.

The following Members asked questions:

- Councillor Ian Moody
- Councillor Val Bryant

In response to questions, the Planning Officer advised:

- There would not be floodlights attached to the proposed tennis court and this was covered by a condition to restrict any lighting.
- The court was proposed to be green in colour, but this was not a condition on the application. There was a condition outlined which stipulated that the surrounding fence was required to be green.

Councillor Michael Muir proposed and Councillor Ian Moody seconded and, following a vote, it was:

RESOLVED: That application 21/03411/FPH be **GRANTED** planning permission subject to the reasons and conditions outlined in the report of the Development and Conservation Manager.

56 21/02708/FP LAND TO THE SOUTH EAST OF BURY FARMHOUSE, BURY LANE, CODICOTE, HERTFORDSHIRE, SG4 8XX

Councillor Ian Moody announced to the Chair that he had a declaration of interest in this item and, once he had completed his presentation as Member Advocate, he would leave the Chamber for the remainder of the item.

The Planning Officer advised of updates to the report including:

- There was an administrative error which had wrongly seen the consultation expiry date listed as the 9 March 2022. Neighbours and relevant consultees had previously been consulted and there was no ongoing consultation.
- Additional comments had been received from CPRE regarding the impact on the greenbelt, encroachment into the countryside and concern about future development following creation of access track.
- Two additional comments had been received from neighbours regarding the change of size of stables from the permission granted in 2006 and the impact of the access track.

- There had been an assessment of the track carried out as detailed in paragraph 4.3.20. When the site is viewed in the round, the development and track would not have an undermining impact on the greenbelt.

The Planning Officer presented the report in respect of application 21/02708/FP supported by a visual presentation consisting of photographs and plans.

The following Members asked questions:

- Councillor Tom Tyson

In response to questions, the Planning Officer advised that a further condition was being added to ensure details of surface treatments would be provided. At the moment it was expected to be tarmac, but a condition could be added to consider other surfaces.

The Chair invited Gary Conrad to speak against the application.

Mr Conrad thanked the Chair for the chance to address the Committee and gave a verbal presentation including:

- Irrespective of the existing building, these proposals would affect the greenbelt in this area, which is one of the most attractive views in North Herts.
- This development would extend beyond the village boundary and fails to take into account the reality of the site.
- The roadway outlined in the report is detailed as an existing track, but this does not exist and to access the site you would need to cross a field, which would mean about 120 metres of tarmac across greenbelt land.
- These proposals would affect the three neighbouring properties, with impact on privacy of residents and disturbance from vehicles servicing the site.
- The creation of a new access road would have an impact on the footpath users.
- Approval of this access road could then lead to further development across the entire field.
- Permission granted in 2006 for the site was for a single story stable with a low roof. In 2007, the stable was moved and the roof height was made higher than that which was granted permission and this higher height was now being used for this application.
- The new occupants would be able to see into the grounds, first floor and gardens of the three adjacent properties, thus affecting privacy.
- The gardens of the existing dwellings currently have low level fencing, due to their positioning, and this development would impact those.

The Chair invited Member Advocate, Councillor Ian Moody, to speak against the application.

Councillor Moody thanked the Chair for the chance to address the Committee and gave a verbal presentation including:

- There had been 14 objections received to this application, including the three local properties.
- The photos provided in the Planning Officer's presentation do not show the beautiful view back towards Codicote from the site and therefore does not show the impact the new access road would have on this.
- The track is not suitable as a road, it is a heavily worn track for walkers using the footpath.
- A 2-bed property, which is not affordable, does not warrant impacting the privacy of the nearby residents or encroaching greenbelt land.
- The current traffic consisted of walkers and horses, cars would be a huge difference.

The following Members asked questions:

- Councillor David Levett

In response to questions, Mr Conrad advised that the Bury Farmhouse houses were built within existing industrial buildings and the conversion was required to be within the footprint of the original buildings.

At this point Councillor Ian Moody left the Chamber.

The Chair invited Al Morrow, agent of the applicant, to speak in favour of the application.

Mr Morrow thanked the Chair for the chance to address the Committee and gave a verbal presentation including:

- The site was on the village boundary and was on previously developed land and as such means it can be built on.
- This proposal would see a more compact building, within the frame and to the same volume as previously buildings on the site.
- Landscaping of the menage and planting of hedgerows and shrubs between properties would see an increase in biodiversity.
- The varied roofscape of the property would minimise the massing of the building and it would remain tucked into the tree line.
- There were local facilities within walking distance of the site.
- This will contribute to the Council's supply of housing, albeit minimal.
- The proposed dwelling would be 32 metres away from neighbours, with the patio and windows directed away from existing neighbouring properties.
- Although there were some changes to the approved height of the stables made in 2007, this building is now legal as it has been there for more than 4 years.
- There was already a gravel track to access the site, but this would need to be upgraded.

The following Members asked questions:

- Councillor Mike Hughson
- Councillor Mike Rice

In response to questions, Mr Morrow advised:

- The average vehicle movement at residential properties of this size is around 6 to 8 movements per day, this was a slight increase on use as stables which on average would see 4 movements per day.
- The hedging would be around the garden on the proposed dwelling itself, but this could be extended further along the track if required by the Committee.

The following Members took part in the debate:

- Councillor Michael Muir

In response to questions, the Conservation and Development Manager advised that Highways Agency had been consulted but had not returned a response in time. However, this is not a new part of the highway network rather it is access for one dwelling, so cannot see where objections would come from.

Councillor David Levett noted that Bury Farm Barns was a larger development, within existing greenbelt when granted permission, and replaced existing buildings with access via a track on Bury Lane. There had been objections made at the time of application for this development, but these were not deemed acceptable and permission was granted.

Councillor David Levett proposed and Councillor Mike Hughson seconded and, following a vote, it was:

RESOLVED: That application 21/02708/FP be **GRANTED** planning permission subject to the reasons and conditions outlined in the report of the Development and Conservation Manager and the following additional condition:

- Condition 7 to be added with the following:

“Prior to the commencement of the development hereby permitted full details of surface treatment for the access track shall be submitted to and approved in writing by the Local Planning Authority. Such works shall thereafter be completed in accordance with the approved details or particulars prior to the first occupation of the development and thereafter retained and maintained to the satisfaction of the Local Planning Authority.”

Reason: To ensure the any new hard surface is of sensitive construction to minimise impact on landscape.”

57 22/00089/TCA HINDSMOUNT, MAYDENCROFT LANE, GOSMORE, HITCHIN, HERTFORDSHIRE, SG4 7QB

The Planning Officer advised that there were no updates to provide to Members and presented the report in respect of application 22/00089/TCA supported by a visual presentation consisting of photographs and plans.

In response to a question from the Chair, the Planning Officer advised that this application had been brought to the Committee as it was from a Member of the Council.

Councillor Val Bryant proposed and Councillor Ian Moody seconded and, following a vote, it was:

RESOLVED: That application 22/00089/TCA be **GRANTED** planning permission subject to the reasons and conditions outlined in the report of the Development and Conservation Manager.

58 19/02227/FP NEEDHAM HOUSE, BLAKEMORE END ROAD, LITTLE WYMONDLEY, HITCHIN, HERTFORDSHIRE, SG4 7JJ

Councillor George Davies announced to the Chair that he had a declaration of interest in this item and, once he had completed his presentation as Member Advocate, he would leave the Chamber for the remainder of the item.

Councillor Terry Tyler advised that he had a declaration of interest in this item and, as a non-registered speaking Member, he would leave the room immediately.

At this point Councillor Terry Tyler left the Chamber.

The Conservation and Development Manager advised of the following updates to the report:

- Condition 3, outlined on page 52 of the agenda pack, should read ‘no later than 11pm’, not 11am as currently written.
- The applicant had requested that this be extended to 11.30pm, but from discussions the Officer recommendations remain at 11pm.

The Conservation and Development Manager presented the report in respect of application 19/02227/FP supported by a visual presentation consisting of photographs and plans.

The Chair invited the Member Advocate, Councillor George Davies, to speak against the application.

Councillor Davies thanked the Chair for the chance to address the Committee and gave a verbal presentation including:

- There had been a large amount of public interest in this application and it had dominated several Parish Council meetings and it was felt appropriate that the decision making process on this application should be public in light of this.
- The temporary marquee permission was granted a while ago and a further application for a larger marquee was rejected, although the marquee was still erected and a retrospective planning permission application was advised.
- The land contours of the area carry sound well and this means a large amount of noise is carried into local villages, which had been demonstrated recently at a Parish Council meeting.
- The report details that no new noise complaints had been received, but this may be down to the Parish Council viewing the matter as being dealt with by the District Council and as such have not submitted any further comment.
- Since events have restarted following the pandemic, there have been noise complaints made by local residents.
- A resident has been provided with a noise measuring device to record high volumes and the time this happens.
- It is important that should permission be granted, noise conditions should be imposed to limit the impact to local residents.

In response to points raised by the Member Advocate, the Conservation and Development Manager advised:

- Enforcement Officers at the Council would not tell people not to complain about issues they are experiencing.
- Noise issues were controlled under Environmental Protection Act and if new complaints were received, these would be diarised and the Environmental Health team can deal with these issues if they became a nuisance.
- Conditions imposed by the Committee, the two year proposed limit of permission and the Environmental Protection Act all gave some level of control over the site.
- By the end of 2022, the applicant would be looking at a more permanent arrangement.

At this point Councillor George Davies left the Chamber.

In response to a question from the Chair, the Conservation and Development Manager advised that it was within the power of the Committee to reduce the two year extension to one year, but the two years was felt appropriate within the timeframes of the Local Plan and other housing applications. It was possible that the Committee could request a review of noise mitigation at the end of year one.

Councillor David Levett noted that permission for the marquee could have been applied for under the emergency powers granted through the Covid pandemic. The extension of two years would put it back on track to the initial rejection of permission in 2019 which was for 5 years. Overall, it was better to grant permission and review after year one and remove after year 2.

Councillor David Levett proposed and Councillor Michael Muir seconded and, following a vote, it was:

RESOLVED: That application 19/02227/FP be **GRANTED** planning permission subject to the reasons and conditions outlined in the report of the Development and Conservation Manager and the following additional condition:

- Condition 4 to be added with the following:

“Prior to 31 March 2023 if the marquee hereby permitted is still in operation and use, full details of an acoustic performance review, including details of any noise complaints received and how they were addressed shall be submitted to and approved in writing by the Local Planning Authority. Such a review shall also include additional noise mitigation as may be required as a result of the review and any approved additional measures shall be carried out in accordance with a timetable that shall have been agreed in writing by the Local Planning Authority and remain in operation thereafter until the use of the marquee ceases.

Reason: To ensure the continued operation of the marquee does not have harm local amenity through excessive noise nuisance.”

59 PLANNING APPEALS

The Conservation and Development Manager presented the report entitled ‘Planning Appeals’ and it was:

RESOLVED: That the report entitled ‘Planning Appeals’ be noted.

The meeting closed at 8.49 pm

Chair